

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHERYL ANN HUGHES,

Plaintiff,

CIVIL CASE NO. 02-40256

v.

GENERAL MOTORS CORPORATION,

HONORABLE PAUL V. GADOLA
U.S. DISTRICT COURT

Defendant.
_____ /

**ORDER DENYING DEFENDANT'S MOTION FOR REHEARING AND
RECONSIDERATION**

Before the Court is Plaintiff's "Motion for Rehearing and Reconsideration," filed on October 25, 2005. For the reasons that follow, the Court will deny the motion.

In her motion, Plaintiff seeks a rehearing, reconsideration, and a reversal of the Court's order granting Defendant's motion for summary judgment and denying Plaintiff's motion in limine, issued by the Court on October 12, 2005. Local Rule 7.1(g) for the Eastern District of Michigan provides for rehearing and reconsideration of a Court's order or judgment. The rule states:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. L.R. 7.1(g)(3).

The purpose of a motion for rehearing and reconsideration is not to permit parties to reargue an issue before the Court. Instead, this motion requires a party to bring to the attention of the court

“a palpable defect” that would have affected the disposition of the case. Plaintiff’s motion for rehearing and reconsideration simply disagrees with the Court’s order and restates the allegations and arguments supporting Plaintiff’s position. The Court concludes that Plaintiff has not demonstrated a “palpable defect by which the court and the parties have been misled,” which is required by the rule, and that Plaintiff is “merely present[ing] the same issues ruled upon by the court” in its order granting Defendant’s motion for summary judgment, which is prohibited by the rule. E.D. Mich. L.R. 7.1(g)(3).

ACCORDINGLY, IT IS HEREBY ORDERED that Plaintiff’s motion for rehearing and reconsideration [docket entry 69] is **DENIED**.

SO ORDERED.

Dated: November 2, 2005

s/Paul V. Gadola
HONORABLE PAUL V. GADOLA
UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that on November 2, 2005, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the following:

Alex L. Alexopoulos; Darcie R. Brault, and I
hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participants: _____.

s/Ruth A. Brissaud
Ruth A. Brissaud, Case Manager
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